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Attorneys for GP LLC

IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re	}	Case No. 18-34244-pcm11
Christian S. Radabaugh, Sr.,		DECLARATION OF BRAD PEEK
Debtor-in-Possession.		

1. I am the general manager of Shasta Livestock Auction Yard ("Shasta") and Western Video Market located in Shasta County, California. I have been actively involved in Shasta since and in the livestock auction business since 1998.

2. I make this declaration based on my personal knowledge, and if called to testify, I would testify as to the facts set forth in this declaration.

3. Shasta is the largest volume auction market west of the Rocky Mountains, selling more than 100,000 live cattle each year through the ring at live auctions. Shasta also represents close to a quarter-million head of cattle annually on Western Video Market satellite and internet video auctions

4. In my role as general manager of Shasta I oversee all aspects of Shasta's auctions, including scheduling, advertising, care and maintenance of animals, and payment of auction proceeds.

5. I am personally familiar with the scheduled auction of livestock that

1 belongs to Christian Rudabaugh that is scheduled to be held at Shasta on Friday,  
2 December 14, 2018 (the "Livestock").

3 6. The Livestock scheduled for the December 14, 2018 auction are currently  
4 located at Shasta, which is caring for and feeding the Livestock pending their sale and  
5 removal by the successful purchaser at the auction.

6 7. The December 14, 2018 auction of the Livestock has been actively  
7 promoted and advertised by Shasta through emails, the Internet, Facebook, personal  
8 telephone calls, and newspaper advertising. Attached hereto as Exhibit 1 is an  
9 advertisement that Shasta purchased in the Capital Press. Attached hereto as Exhibit 2  
10 is a Facebook posting for the auction. We are anticipating a good turnout of this  
11 auction, in part because it will be one of the last auctions we hold in 2018.

12 8. I understand the Court has ruled that the auction scheduled for  
13 December 14, 2018 cannot be held on that date and will need to be held at a later date.

14 9. If the auction is not held on December 14, 2018, the next available auction  
15 date will be December 21, 2018, just four days before Christmas. In my experience, an  
16 auction so close to Christmas results in very low participation and consequently reduced  
17 bidding and a depressed purchase price. This is in part because the purchased  
18 Livestock will have to be removed during the week of Christmas, when it is difficult to  
19 find labor and the labor that can be found will demand higher wages, thus effectively  
20 adding to the cost to purchase the Livestock and reducing the return to the seller. In  
21 addition, purchasers may have logistical issues even getting transportation and labor to  
22 process the Livestock prior to Christmas Eve and some won't do anything on Sunday,  
23 December 23rd. Stated succinctly, an auction on December 21, 2018 will create a  
24 disincentive for purchasers to buy or pay fair value for the Livestock.

25 10. Shasta is planning on closing down around Christmas and New Year's.  
26 We will not have a feeder scheduled during that time and would have to incur increased

1 labor costs to bring someone in during holidays. Livestock must be fed every day, and I  
2 will have irate employees if I ask them to come to work on Christmas Day. Those willing  
3 to come in, if any, will want to be paid a premium to be away from their families on  
4 Christmas. Our yard should be empty between Christmas and New Year's Day.

5 11. Shasta does not have an auction scheduled for December 28, 2018.

6 12. The next scheduled auction after December 21, 2018 is January 4, 2019.

7 13. The Livestock cannot economically, safely, or humanely remain at Shasta  
8 until January 4, 2019. The minimum cost to keep the 292 head of Livestock at Shasta  
9 for that 21-day period is approximately \$3.50 per day, per animal. This minimum cost  
10 per day totals approximately \$1,022. Thus, for the 21-day period from December 14,  
11 2018 through January 4, 2019, the cost will be in excess of \$21,000, again if I can even  
12 get employees to do the work over the holidays.

13 14. More importantly, it would be inhumane and cruel to keep that many  
14 animals penned up for that long a period of time. The Livestock will be unduly stressed  
15 and will face a higher risk of infection, injury, and death. Besides the consequences to  
16 the Livestock--some will lose weight, others will require veterinary care, and some may  
17 die---these facts will adversely affect the purchase price at auction, increase the  
18 carrying costs, and reduce the net return to the seller.

19 15. I am not comfortable keeping the Livestock at Shasta in such conditions  
20 for such an extended period of time. I would require the Livestock be shipped elsewhere  
21 pending the auction.

22 16. In my opinion, it would be best for the Debtor and for the Livestock for  
23 Shasta to conduct the auction sale as advertised on December 14, 2018. We have  
24 extensively advertised the sale. It will more likely than not realize a higher price per  
25 head and pound than if the auction were delayed, and conducting the auction as  
26 scheduled will avoid incurring ongoing and additional costs.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Dated this 12th day of December, 2018 at Loyalton, California.

3 /s/ Brad Peek

4 \_\_\_\_\_  
5 Brad Peek

6  
7 \*24987-001\DECLARATION OF BRAD PEEK (FINAL) (03047414);1

## Upcoming Sales

\*\*\*\*\*  
*If you have breeding stock to consign, please let us know in advance.  
If you can drop them off earlier in the week, it would also be  
appreciated.*

\*\*\*\*\*  
**Shasta Livestock is an approved Non Hormone Treated  
Cattle (NHTC) marketing location!**  
*To qualify, consigned cattle must come from an approved  
NHTC location and have program compliant EID tags in place.  
For more information, please contact Shasta Livestock.*

**December 14, 2018**  
**Winter Kick-off Sale and Breeding Stock Special**  
**Expecting 500 cows and pairs!**

**Featuring:**  
*Perkins Ranch - Surprise Valley, CA*  
*Four plus loads of pairs and 20 bred cows; BLK, BWF*  
*Radabaugh Ranch - Prineville, OR*  
*60 fancy bred heifers; BLK, BWF*  
*Bred to calving ease bulls*  
*200 bred cows; 95% BLK; BWF*  
*Bred to Angus, Sim-Ang, and two Hereford bulls*  
*Bred to start calving Feb. 20*  
*Plus lots of stockers and feeders!*

**December 21, 2018**  
**Christmas Special and Breeding Stock Special**

**December 28, 2018**  
**No Sale - Merry Christmas**



Photo Credit: Crystal Ar

## Shasta Livestock

December 14, 2018

Winter Kick-off Sale and Breeding Stock Special  
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Four plus loads of pairs and 20 bred cows  
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Bred to Angus, Sim-Ang, and two Hereford bulls  
Bred to start calving Feb. 20

Plus, a lot more!

For more information, contact Shasta Livestock or visit [www.shastalivestock.com](http://www.shastalivestock.com)

Call (530) 347-3793 for more info

For market reports and upcoming sale info, visit us online at:  
[www.shastalivestock.com](http://www.shastalivestock.com)

SHASTA LIVESTOCK IS A REPRESENTATIVE FOR



SATELLITE AND INTERNET VIDEO AUCTIONS  
Visit [www.wvmcattle.com](http://www.wvmcattle.com) for upcoming sale information.

Shasta Livestock Auction Yard, Inc., PO Box 558, Cottonwood, CA 96022

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